

**Nays—3.**

Fellbaum. Woodul.  
Pace.

**Absent.**

Greer. Martin.

**Absent—Excused.**

Neal. Woodward.  
Redditt.

Senator Moore moved to table the amendment (by Senator Woodruff). The motion was lost by the following vote:

**Yeas—12.**

Beck. Purl.  
Cousins. Regan.  
Duggan. Russek.  
Hopkins. Sanderford,  
Moore. Small.  
Patton. Stone.

**Nays—15.**

Blackert. Oneal.  
Collie. Pace.  
DeBerry. Parr.  
Fellbaum. Poage.  
Greer. Rawlings.  
Holbrook. Woodruff.  
Hornsby. Woodul.  
Murphy.

**Absent.**

Martin.

**Absent—Excused.**

Neal. Woodward.  
Redditt.

Senator Purl sent up the following amendment to the amendment: Amend by striking out below the word "per annum."

PURL.

The amendment to the amendment was read.

**S. B. No. 244 Re-committed.**

On motion of Senator Regan, S. B. No. 244 was re-committed to the Committee on Mining, Irrigation and Drainage.

**Joint Resolutions Referred.**

On motion of Senator Oneal, H. J. R. No. 3 and S. J. R. No. 12 were referred to the Committee on Constitutional Amendments.

**Recess.**

On motion of Senator Hopkins, the Senate, at 5:06 o'clock p. m., recessed until 9:30 o'clock tomorrow morning.

**APPENDIX.****Committee on Enrolled Bills.**

Committee Room,  
Austin, Texas, March 6, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 250 carefully examined and compared, and find same correctly enrolled.

GREER, Chairman.

**Committee on Engrossed Bills.**

Committee Room,  
Austin, Texas, March 6, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 195 carefully examined and compared, and find same correctly engrossed.

REGAN, Chairman.

**THIRTY-SEVENTH DAY.**

(Continued.)

Senate Chamber,  
Austin, Texas,  
March 7, 1933.

The Senate at 9:30 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

**Senate Bill No. 421.**

The question recurred upon the pending amendment to the amendment to S. B. No. 421.

Senator Moore received unanimous consent to substitute the following amendment for his original substitute for Committee Amendment No. 2:

Substitute for Committee Amendment No. 2.

Section 1. The Board of Insurance Commissioners of the State of Texas with the approval of the Governor of the State, from and after the passage of this Act, are specifically authorized and empowered to promulgate such rules, regula-

tions, and orders as they may deem necessary to regulate and stabilize the payment of premiums to insurance companies, and the payment of policy reserve loans and withdrawals of cash surrender values, due and payable to policyholders, including the payment of dividends to policyholders and stockholders; provided, however, that said Board of Insurance Commissioners shall not have power to limit the payment of death, sick and accident claims, and such other claims, including final judgments, for which such insurance companies may be liable. And providing further, that the Board of Insurance Commissioners with the approval of the Governor of Texas shall have power and authority to cancel the permit to do business in this State of any insurance company violating or refusing to comply with any rule, regulation or order promulgated in pursuance of the authority granted under this Act. It is further provided, however, that no limit of liability or extension of time shall be granted as to obligations due by insurance companies to policyholders, until and unless a like limit be at the same time extended to policyholders as to all policy obligations due to insurance companies.

Sec. 2. If any section, provision, sentence, clause or phrase of this Act shall be declared unconstitutional or invalid for any reason, it shall not affect any other provision or portion of this Act and the same shall remain in full force and effect.

Sec. 3. The fact that the Board of Insurance Commissioners is not now expressly authorized to exercise authority and prescribe rules and regulations in conformity with sound business policies regarding insurance companies doing business in this State creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and this Act take effect and be in force from and after its passage, and it is so enacted.

MOORE.

Read and adopted.

On motion of Senator Moore, the bill was laid on the table subject to call.

At Ease.

On motion of Senator Woodul, the Senate, at 9:40 o'clock a. m., stood at ease for 15 minutes.

Senate Bill No. 421.

The pending amendment to the amendment was adopted.

On motion of Senator Woodruff, the bill and the amendment were laid on the table subject to call.

Senate Bill No. 269.

By unanimous consent, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider out of its regular order the following bill:

By Senator Beck:

S. B. No. 269, A bill to be entitled "An Act appropriating the unexpended balance of funds appropriated for the control and prevention of malaria by Chapter 41, Acts Regular Session, Forty-second Legislature, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 269 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Neal.

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Cousins.
Blackert.	Duggan.

Fellbaum.	Rawlings.
Greer.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Moore.	Small.
Oneal.	Stone.
Pace.	Woodruff.
Parr.	Woodul.
Patton.	Woodward.
Poage.	

Nays—4.

Collie.	Holbrook.
DeBerry.	Murphy.

Present—Not Voting.

Purl.

Absent—Excused.

Neal.

#### H. C. R. No. 40.

The Chair laid before the Senate: H. C. R. No. 40, Congratulating President Roosevelt upon the appointment of Silliman Evans as Fourth Assistant Postmaster General.

The resolution was read.

Senator Rawlings sent up the following amendment:

Amend H. C. R. No. 40 by striking out the word "elect" after the word "president" in line 3 of first paragraph.

RAWLINGS.

Read and adopted.

The resolution as amended was adopted.

#### Senate Bill No. 77.

By unanimous consent the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senator Rawlings:

S. B. No. 77, A bill to be entitled "An Act to amend Article 4145, Revised Civil Statutes, so as to provide that surviving guardians appointed by will may be exempt from bond for management of estate of minors."

Read second time.

On motion of Senator Rawlings, the bill was laid on the table subject to call.

#### Senate Bill No. 421.

Senator Moore called up from the table S. B. No. 421.

Senator Moore moved to table the pending amendment (by Senator Woodruff). The motion prevailed by the following vote:

Yeas—16.

Beck.	Murphy.
Collie.	Patton.
Cousins.	Regan.
Duggan.	Russek.
Fellbaum.	Sanderford.
Greer.	Small.
Martin.	Woodul.
Moore.	Woodward.

Nays—11.

Blackert.	Parr.
DeBerry.	Poage.
Hopkins.	Purl.
Hornsby.	Redditt.
Oneal.	Woodruff.
Pace.	

Absent.

Holbrook.	Stone.
Rawlings.	

Absent—Excused.

Neal.

Senator DeBerry sent up the following amendment:

Amend substitute for committee amendment No. 2 by striking out the words "to policyholders as to all policy obligations due to insurance companies" and insert in lieu thereof the following "as to all obligations of all kind and to insurance companies."

POAGE,  
DeBERRY.

The amendment was read.

Senator Moore moved to table the amendment. The motion prevailed by the following vote:

Yeas—16.

Beck.	Purl.
Cousins.	Redditt.
Duggan.	Regan.
Fellbaum.	Russek.
Greer.	Sanderford.
Hopkins.	Small.
Martin.	Woodul.
Moore.	Woodward.

Nays—10.

Blackert.	Oneal.
DeBerry.	Pace.
Holbrook.	Parr.
Hornsby.	Poage.
Murphy.	Woodruff.

Absent.  
Rawlings. Stone.  
Absent—Excused.

Neal.

(Pair Recorded.)

Senator Collie (present) who would vote nay, with Senator Patton (absent) who would vote yea.

Senator Holbrook sent up the following amendment:

Amend S. B. No. 421 by striking out of line 2, Sec. 1 of the bill "with the approval of the Governor of the State;" and striking out of line 10 in Sec. 1 the following: "with the approval of the Governor of Texas."

HOLBROOK.

The amendment was read.

Senator Moore moved to table the amendment. The motion prevailed by the following vote:

Yeas—22.

Beck.	Moore.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Redditt.
DeBerry.	Regan.
Duggan.	Russek.
Fellbaum.	Sanderford.
Greer.	Small.
Hopkins.	Stone.
Hornsby.	Woodruff.
Martin.	Woodul.

Nays—6.

Holbrook.	Poage.
Murphy.	Purl.
Oneal.	Woodward.

Absent.

Patton. Rawlings.

Absent—Excused.

Neal.

The bill was passed to engrossment by the following vote:

Yeas—19.

Beck.	Oneal.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Martin.	Regan.
Moore.	Russek.

Sanderford.	Woodul.
Small.	Woodward.
Stone.	

Nays—8.

Blackert.	Murphy.
DeBerry.	Pace.
Holbrook.	Parr.
Hornsby.	Woodruff.

Absent.

Hopkins.

Absent—Excused.

Neal.

(Pair Recorded.)

Senator Collie (present) who would vote nay, with Senator Patton (absent) who would vote yea.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 421 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Poage.
Cousins.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Oneal.	Woodul.
Pace.	Woodward.

Nays—4.

Blackert.	Holbrook.
DeBerry.	Parr.

Absent—Excused.

Neal.

(Pair Recorded.)

Senator Collie (present) who would vote nay, with Senator Patton (absent) who would vote yea.

Read third time and finally passed by the following vote:

Yeas—20.

Beck.	Fellbaum.
Cousins.	Greer.
Duggan.	Hopkins.

Martin.	Regan.
Moore.	Russek.
Oneal.	Sanderford.
Poage.	Small.
Purl.	Stone.
Rawlings.	Woodul.
Redditt.	Woodward.

Nays—8.

Blackert.	Murphy.
DeBerry.	Pace.
Holbrook.	Parr.
Hornsby.	Woodruff.

Absent—Excused.

Neal.

(Pair Recorded.)

Senator Collie (present) who would vote nay, with Senator Patton (absent) who would vote yea.

Senator Moore spread on the Journal a motion to reconsider the vote by which the bill was finally passed.

#### Messages From the House.

Hall of the House of Representatives,  
Austin, Texas, March 7, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

H. C. R. No. 44, Proposing to memorialize Congress to pass S. B. No. 1197, known as the Frazier Bill.

H. B. No. 227, A bill to be entitled "An Act providing for the removal of guardianships from one county in this State to another county therein, when the residence of the ward is changed to such other county, and in cases where the guardian of the ward's estate is in one person or corporation, and his natural guardian, or guardian of his person is another; etc., and declaring an emergency."

H. B. No. 429, A bill to be entitled "An Act defining 'oleomargarine,' and other terms used in Act; providing tax of 10 cents per pound on certain oleomargarines, for method of collecting tax, for certificates and reports to Commissioner of Agriculture by wholesalers of taxable oleomargarine; providing for manner and time of payment of tax, for records of sales and inspection, for sticker tags and invoices, manner of shipment or delivery and liability of

dealers; etc.; and declaring an emergency."

H. B. No. 465, A bill to be entitled "An Act requiring individuals, companies, corporations, and associations holding certain unclaimed deposits of money and certain unclaimed property for storage or safekeeping or otherwise, and companies, corporations, and associations holding certain unclaimed dividends, profits, debts, and interest on debts, and requiring certain county and district court officials holding funds in trust paid in under order of the court, to report annually, under oath, such unclaimed deposits of money, property, dividends, profits, debts, and interest on debts so held to the Comptroller of Public Accounts; setting forth the requirements of such reports, and providing penalties for false reports and for failure to report, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on S. B. No. 184 by a vote of 111 yeas and 0 nays.

The House has passed the following bill by a vote of 113 yeas and 11 nays:

H. B. No. 231, A bill to be entitled "An Act providing relief (in behalf of owners of lands encumbered by liens) against immediate effect of foreclosures by providing the time when and the manner in which judgments in foreclosure and/or judgment in cases of trespass to try title may be satisfied and released and/or otherwise may become enforceable by or through writs of possession, etc.; repealing Articles 2219 and 7388 of the Revised Civil Statutes of Texas, 1925; providing for separability of terms and/or application of the Act, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Free Conference Report.

Senator Rawlings sent up the following Free Conference Committee report:

Committee Room,  
Austin, Texas, March 7, 1933.  
Hon. Edgar E. Witt, President of the  
Senate.

Hon. Coke Stevenson, Speaker of the  
House.

Sirs: We, your Free Conference  
Committee, to whom was referred  
S. B. No. 184, A bill to be entitled  
"An Act to amend Article 1316, Chap-  
ter 1, Title 17 of the Penal Code of  
1925, providing for the offense of  
an attempt to commit arson and de-  
fining the same, making it unlawful;  
prescribing the punishment therefor  
at confinement in the penitentiary  
for from one to seven years; repeal-  
ing all laws and parts of the laws  
in conflict with this Act; but saving  
prosecutions on indictment for of-  
fenses committed prior to the effec-  
tive date hereof, and declaring an  
emergency."

Have had the same under consid-  
eration, and I am instructed to re-  
port it back to the Senate with the  
recommendation that it do pass in  
the form of the attached bill, and be  
printed.

HOLLAND,  
WALKER,  
CALVERT,  
SHANNON,  
BOURNE,

On the part of the House.

RAWLINGS,  
SMALL,  
REGAN,  
ONEAL,  
STONE,

On the part of the Senate.

S. B. No. 184.

#### A BILL To Be Entitled

An Act to amend Article 1316, Chap-  
ter 1, Title 17, of the Penal Code  
of 1925, providing for the of-  
fense of an attempt to commit  
arson and defining the same, mak-  
ing it unlawful; prescribing the  
punishment therefor at confine-  
ment in the penitentiary for from  
one to seven years; repealing all  
laws and parts of the laws in con-  
flict with this Act; but saving  
prosecution on indictment for of-  
fenses committed prior to the ef-  
fective date hereof, and declaring  
an emergency.

Be it enacted by the Legislature of  
the State of Texas:

Section 1. That Article 1316,

Chapter 1, Title 17, of the Penal  
Code of 1925, be and the same is  
hereby amended to read hereafter as  
follows:

"Any person who wilfully at-  
tempts to set fire to or attempts to  
burn, or who shall aid or counsel in  
such attempt, or who shall attempt  
to procure the burning of buildings  
or property, such as are mentioned  
elsewhere in Chapter 1, Title 17 of  
the Penal Code of 1925, or any per-  
son who shall place or distribute  
any inflammable, or explosive, or com-  
bustible material, or any substance  
of whatsoever kind or character, or  
any article or device in any building  
or property mentioned in the said  
Chapter 1, Title 17 of the Penal  
Code of 1925, in an arrangement or  
in preparation with wilful intent to  
eventually set fire to or burn said  
building or property, or to cause  
said property or building to be  
burned, shall be guilty of an at-  
tempt to commit the offense of ar-  
son, and shall upon conviction be  
sentenced and confined in the peni-  
tentiary for not less than one year  
nor more than seven years."

Sec. 2. Nothing in this Act shall  
affect prosecutions upon indictments  
now pending or hereafter returned  
for offenses committed prior to the  
effective date of this Act, all of  
which shall be preserved as if this  
Act had not been passed.

Sec. 3. All laws and parts of  
laws in conflict with the provisions  
of this Act are hereby repealed.

Sec. 4. The fact that Chapter 82,  
Acts of the Forty-second Legisla-  
ture, Regular Session (an Act to  
amend Article 1316 of the Penal  
Code of 1925) has been declared un-  
constitutional by the Court of Crimi-  
nal Appeals, and the further fact  
that very much property in the State  
is being wilfully destroyed to the  
great damage of the public, and the  
present laws insufficiently describe  
an attempt to commit the offense of  
arson, creates an emergency and an  
imperative public necessity that the  
constitutional rule requiring that  
bills be read on three several days in  
each House be suspended, and said  
rule is hereby suspended, and that  
this Act shall be in force and take  
effect from and after its passage, and  
it is so enacted.

Read and adopted by the follow-  
ing vote:

**Yeas—30.**

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

**Absent—Excused.**

Neal.

**Senator Berkeley Invited to Speak.**

On motion of Senator Regan, former Senator B. F. Berkeley was accorded the privileges of the floor and invited to address the Senate.

The Chair introduced Senator Berkeley who briefly addressed the Senate.

**House Bills Referred.**

H. B. No. 465, referred to Committee on State Affairs.

H. B. No. 429, referred to Committee on State Affairs.

H. B. No. 227, referred to Committee on Civil Jurisprudence.

H. B. no. 231, referred to Committee on Civil Jurisprudence.

**Motion to Take Up Bill.**

Senator Woodul moved to suspend the regular order of business and take up S. B. No. 422.

**Motion to Re-commit.**

On motion of Senator Purl, S. B. No. 283 was re-committed to the Committee on Insurance.

**Bills and Resolutions.**

By unanimous consent, the rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Hornsby:

S. B. No. 425, A bill to be entitled "An Act amending Article 498, Chapter 8, Title 16, Revised Civil Stat-

utes, requiring bonds to be given by all active or salaried officers and employees of State banking institutions whose duties permit or require them to handle bank funds; and declaring an emergency."

Read and referred to Committee on Banks and Banking.

**Adjournment.**

On motion of Senator Greer, the Senate, at 12:14 o'clock p. m., adjourned until 2 o'clock p. m., today.

**APPENDIX.****Committee on Engrossed Bills.**

Committee Room,

Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 269, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

**Committee Reports.**

Committee Room,

Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 100, Relative to making appropriations to pay deficiency certificates issued by the Comptroller to cover fees of officers and witnesses in felony cases and examining trials.

Have had the same under considerations, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 422, A bill to be entitled "An Act suspending the operation and/or enforcement of Article 536, 537, and 538 of the Penal Code of Texas of 1925 during the period or periods of time when the State Banking Commissioner, with the consent and approval of the Governor of

Texas, shall, under the authority of S. B. No. 416, put into effect a financial moratorium, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be not printed.

REGAN, Vice-Chairman.

#### Committee Amendment No. 1.

Amend S. B. No. 422 by adding at the bottom of Section 1 the following: "provided, however, that no corporation in this State shall issue any bill, promissory note, check or other paper intended to circulate as money until and unless it shall first secure the authority of the State Banking Commissioner to so issue such instruments, and such instrument shall clearly show in the face thereof that such permission has been duly obtained."

#### Committee Amendment No. 2.

Amend caption of S. B. No. 422 by adding after the word "enforcement" in line 2 thereof the following "under certain restrictions."

Committee Room,

Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 283, A bill to be entitled "An Act to amend Sections 2 and 3-A of an act passed by the Legislature of Texas, February 26, 1919, H. B. No. 153, relating to Title Insurance Business and the Capital Stock of Corporations doing business, and to prohibit such Corporations guaranteeing mortgages, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PURL, Chairman.

Committee Room,

Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 420, A bill to be entitled "An Act providing that when the

Banking Commissioner of Texas finds certain facts to exist he shall, by decree or proclamation, prohibit or limit withdrawals by investing shareholders; providing for the cancellation of withdrawal notices; providing for the prevention of receiving or filing additional withdrawal notices; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

PURL, Chairman.

Committee Room,

Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 424, A bill to be entitled "An Act suspending the operation of Article 4736 of the Revised Civil Statutes of Texas, 1925, as amended by action of the Forty-second Legislature, 1931, Page 135, Chapter 91, and as further amended by action of the Forty-second Legislature, 1931, Page 328, Chapter 195; relating to payments to designated beneficiaries; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PURL, Chairman.

Committee Room,

Austin, Texas, March 7, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 372, A bill to be entitled "An Act permitting appeals from orders and judgments of trial courts granting or refusing the appointment of receivers; providing for the perfection of such appeals; specifying the time for filing record in the Court of Civil Appeals and the contents of such record; providing for filing of briefs, for advancing the cause on the docket of the appellate court, and for appointment of receiver in the appellate court; or for remanding such cause with instructions; and declaring an emergency."

Have had the same under con-

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, March 7, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 253, A bill to be entitled "An Act to regulate the operations of corporations organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended or repealed or re-enacted, and which were operating and carrying on in this State immediately prior to January 1st, 1933, the statewide business of mutually protecting or insuring the lives of their members by assessments made upon their members; and providing that local mutual aids operating under the terms of Chap. 274, Acts of 1929, Forty-first Legislature, p. 563, may comply with the terms of this Act; and revoking, repealing, and cancelling the charters of such corporations except local mutual aids failing to comply with this Act and forever prohibiting said corporations from doing business in this State and providing for their liquidation; and revoking, repealing, and cancelling the charter of all mutual relief or benefit associations exempt from the insurance laws of this State under the provisions of Article 2971a, Revised Statutes of 1879, and Article 3096 and 3096w of the Revised Statutes of 1895, failing to comply with the terms of this Act, and forever prohibiting said associations from doing business in this State, and providing for the liquidation of same; and excepting certain insurance companies and associations from the provisions of this Act and providing that no other insurance laws unless expressly mentioned shall apply to the corporations operating under this Act; and providing penalties for the violations hereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with

committee amendments, and be printed.

PURL, Chairman.

#### Committee Amendment No. 1.

Amend Section 2, Subdivision 6, by striking out the words, "250 members," and inserting in lieu thereof, "500 members."

#### Committee Amendment No. 2.

Amend Section 3 by adding thereto a new paragraph to read as follows:

"Nothing in this Act shall be construed to validate or otherwise sanction any unlawful act of any such corporation, except when such unlawful act may have been construed to be unlawful simply by reason of the fact that the law under which said corporation was created has since been repealed or amended so as to omit therefrom such corporations as are described in this Act."

#### Committee Amendment No. 3.

Amend Section 4 by striking out the words, "issued upon a final judgment."

#### Committee Amendment No. 4.

Amend Section 7, Subdivision A, by striking out the word, "Fidelity Bond," wherever same may appear in this subdivision, and inserting in lieu thereof, "Surety Bond."

#### Committee Amendment No. 5.

Amend Section 8 by adding thereto in line 3, after the word, "office," the following:

"Separate group, club, or class."

And further amending said section by adding thereto the following:

"It is further provided that no stock or assets or benefits of any such particular group, club, or class, shall be pledged, sold, or transferred without the consent of three-fourths of the members of such particular group, club, or class."

#### Committee Amendment No. 6.

Amend Section 10 by adding at the end of the first paragraph the following:

"A certified copy of any changes in the by-laws of each corporation shall be mailed to each of the stockholders and/or members at the

next assessment after such change in the by-laws is made."

**Committee Amendment No. 7.**

Amend Section 13 by striking out the figures "250" and inserting in lieu thereof the figures "500."

**Committee Amendment No. 8.**

Amend Section 14, line 7, by striking out the words, "except local mutual aids."

**Committee Amendment No. 9.**

Amend Section 19 by striking out the words, "and not complying with this Act" in line 3 of said section.

**Committee Amendment No. 10.**

Amend Section 19 by striking out the following words:

"Except as herein expressly provided, no insurance law of this State shall apply to any corporation operating under this Act, and no law hereafter enacted shall apply to them unless they be expressly designated therein."

And insert in lieu thereof the following:

"Except as herein expressly provided the general insurance law of this State where applicable shall apply to any corporation operating under this Act, and all laws hereafter enacted where applicable shall apply to them unless they be expressly prohibited by the terms of this Act."

The insurance laws of this State shall apply to the corporations operating under this law except in so far as they may conflict with the provisions of this Act.

**Committee Amendment No. 11.**

Amend S. B. No. 253 by striking out Section 20 of the bill and renumber the remaining sections accordingly.

**Committee Amendment No. 12.**

Amend S. B. No. 253 by amending the caption to conform to committee amendments.

**THIRTY-EIGHTH DAY.**

Senate Chamber,  
Austin, Texas,  
March 7, 1933.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by President Pro Tem. Walter Woodul.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Neal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Russek.

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions**

By unanimous consent, the constitutional rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bill:

By Senators Blackert and Fellbaum:

S. B. No. 426, A bill to be entitled "An Act repealing Chapter 241 of the Special Laws of Texas, passed by the Forty-second Legislature at its Regular Session, as amended by Chapter 29 of the General and Special Laws of Texas, passed by the Forty-second Legislature at its First Called Session, to create and establish the San Antonio River Canal and Conservation District, under authority of Section 59 of Article 16 of the Constitution; and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

**Bill Signed.**

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign in the presence of